

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
DEL RIO DIVISION

FILED

JUN 14 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK

UNITED STATES OF AMERICA

v.

WILLIAM SMITH

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CAUSE NO.: 21-CR-225-AM

STIPULATION OF FACTS

The United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant U.S. Attorney, the Defendant, and Defense counsel hereby stipulate that if this matter were to proceed to trial, the United States would establish by legal and competent evidence the following facts beyond a reasonable doubt:

On or about January 14, 2021, Border Patrol Agents (BPA), conducting line watch duties in the Hydro plant area near Eagle Pass, Texas, an area within the Western District of Texas, observed a blue Ford F-250 pickup truck nearing a power plant entrance that had no public access. BPA noticed the F-250 pull over on the side of a curved road and then observed approximately nine individuals enter the cab and bed of the F-250 from the adjacent brush. BPA then initiated a lawful vehicle stop in order to perform an immigration inspection on the F-250. All nine individuals who entered the F-250 then exited and fled back into the adjacent brush. BPA ordered the driver to exit the F-250 which he refused, he then put the F-250 into drive and fled the scene at a high rate of speed. BPA was able to block the F-250 from exiting the Hydro Plant area with his Border Patrol vehicle.

BPA followed the footprints from the area where the nine suspected illegal aliens fled from the F-250 and was able to locate them within the brush and apprehend

the nine suspected illegal aliens. All subjects were then transported to the Eagle Pass Border Patrol Station for processing. At the Eagle Pass Border Patrol Station, Defendant, William Smith, was advised of his *Miranda* rights, which he knowingly and voluntarily waived and agreed to speak with BPA without an attorney present. Smith admitted in a post-*Miranda* interview that he was hired by a woman he knew as "Veronica" to transport the illegal aliens from Eagle Pass, Texas for a payment of \$700 dollars per person. Smith indicated that he was aware the individuals who attempted to enter his F-250 were illegal aliens.

WILLIAM SMITH, Defendant, now accepts responsibility and admits that on or about January 14, 2021, Defendant conspired with others to transport illegal aliens within the Western District of Texas and Defendant knew or recklessly disregarded the fact that the aliens being transported were illegally in the United States and had no legal documents to be in the United States, and that such transportation was in furtherance of the aliens' illegal entry. Defendant committed all the foregoing acts knowingly, intentionally and voluntarily with a specific intent to violate the law in violation of Title 8, United States Code § 1324(a)(1)(A)(v)(I) & (B)(i).

ASHLEY C. HOFF  
UNITED STATES ATTORNEY

DATE: 6-14, 2021.

By:   
LARRY W. FADLER  
Assistant United States Attorney

After consulting with my attorney, I hereby stipulate the above Statement of Facts is true and accurate, and had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt. I accept responsibility for my actions in this case and apologize for having committed this offense.

Signed this 11 day of June, 2021.

  
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WILLIAM SMITH  
Defendant

I am Defendant's Attorney, I have carefully reviewed the above Stipulation of Facts with the Defendant. To my knowledge, Defendant's decision to stipulate to such facts is informed and voluntary.

Signed this 13 day of June, 2021.

  
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CASE J. DARWIN  
Defendant's Attorney

Adopted and approved this 14<sup>th</sup> day of June, 2021.

  
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ALIA MOSES  
United States District Judge